

SENATE BILL 856  
By Jackson

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 7, Part 24, relative to reimbursement for surgical services provided by physician assistants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 24, is amended by adding the following language as a new section:

56-7-\_\_\_\_.

(a) Whenever any contract, plan, or policy provides for reimbursement for the services of a physician functioning as first assistant to the primary surgeon, the insured or other person entitled to benefits under such contract, plan, or policy shall be entitled to reimbursement for such services whether they are performed by a duly licensed physician or by a physician assistant who is licensed by the Tennessee board of medical examiners and has been selected by the surgeon to provide these services in lieu of a second physician. Where a physician assistant functions as first assistant to the primary surgeon, payment shall be made to the employer of the physician assistant.

(b) The provisions of this section are applicable to all health benefit contracts, plans, or policies which are offered by commercial insurance

companies, nonprofit insurance companies, health maintenance organizations, preferred provider organizations, and managed care organizations, and which are entered into, issued, or renewed after July 1, 2003.

SECTION 2. The provisions of this act shall not apply to the TennCare program or any successor to the TennCare program. The provisions of this act shall not apply to programs or policies covering state employees or local government employees.

SECTION 3. The provisions of this act shall not apply to health plans preempted from state regulation by the federal Employee Retirement Income Security Act of 1974 (ERISA).

SECTION 4. This act shall take effect July 1, 2003, the public welfare requiring it.